

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present Amendment is being made to facilitate prosecution of the application. Applicants submit that this response presents the claims in ascending numerical order in compliance with MPEP 608.01(j). Applicants respectfully submit that the Notice of Non-Compliant Amendment was improper and should be withdrawn.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-3, 6-8, and 11-27 are pending in this application. Claims 1, 2, 6, and 12-21 are independent. Claims 1, 2, 6-8, and 12-25 are hereby amended. Claims 26 and 27 are new. Claims 4, 5, 9, and 10 have been canceled without prejudice or disclaimer of subject matter. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. Support for this amendment is provided throughout the Specification as originally filed. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-3, 5-8, and 9-21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,181,870 to Okada, et al. in view of U.S. Patent No. 6,208,805 to Abecassis.

Claim 1 recites, *inter alia*:

“...video encoding means for encoding video data and audio data in a group structure of a plurality of frames by performing a compression-encoding process;

video data output means for outputting encoded video data by said encoding means;

audio data output means for outputting compression encoded or non-compressed audio data;

management data generating means for generating management data which manages said encoded video data and said audio data of said file structure;

wherein the file structure contains a first video data unit which corresponds to a predetermined number of frames of said encoded video data outputted from said video output means, a first audio data unit which corresponds to a predetermined number of sound samples of said audio data, a second video data unit which comprises a plurality of said first video data units, and a second audio data unit which comprises a plurality of said first audio data units,

wherein said second video data unit and said second audio data unit are recorded on a successive location of said record medium respectively; and

wherein said management data includes at least the start position of the second video data unit and the second audio data unit respectively..” (emphasis added)

As understood by Applicants, U.S. Patent No. 6,181,870 to Okada, et al.

(hereinafter, merely “Okada”) relates to an optical disc having an area for storing original and user chain information specifying at least part of a video object stored on the disc, and a computer program and recording apparatus for recording and editing the chain information.

As understood by Applicants, U.S. Patent No. 6,208,805 to Abecassis (hereinafter, merely "Abecassis") relates to inhibiting a control function from interfering with a playing of a video.

Applicants submit that nothing has been found in Okada or Abecassis, taken alone or in combination, that would disclose or suggest the above-identified features of claim 1. Specifically, Applicants submit that Okada and Abecassis fail to teach or suggest a video encoding means for encoding video data and audio data in a group structure of a plurality of frames by performing a compression-encoding process, wherein the file structure contains a first video data unit which corresponds to a predetermined number of frames of said encoded video data outputted from said video output means, a first audio data unit which corresponds to a predetermined number of sound samples of said audio data, a second video data unit which comprises a plurality of said first video data units, and a second audio data unit which comprises a plurality of said first audio data units, wherein said second video data unit and said second audio data unit are recorded on a successive location of said record medium respectively, and wherein said management data includes at least the start position of the second video data unit and the second audio data unit respectively, as recited in claim 1.

For reasons similar, or somewhat similar, to those described above, independent claims 2, 6 and 12-21 are also believed to be patentable.

### **III. DEPENDENT CLAIMS**

The other claims in this application are each dependent on a dependent claim discussed above, and are therefore believed patentable for at least the same reasons. Since each

dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

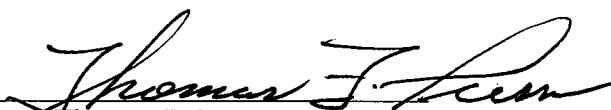
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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